

# California Medical Association



## NOTICES AND REPORTS

### Council Meeting Minutes

*Tentative Draft: Minutes of the 515th Meeting of the Council, Airport Marina Hotel, Los Angeles, October 30-31, 1965.*

The meeting was called to order by Chairman Anderson in the Airport Marina Hotel, Los Angeles, on Saturday, October 30, 1965, at 8:45 a.m.

#### Roll Call

Present were President Teall, President-Elect MacLaggan, Speaker Quinn, Vice-Speaker Telford, Secretary Hosmer and Councilors Isenhour, Wilson, Melone, Todd, Gooel, Taw, Bullock, O'Connor, Ham, Rogers, Burnett, Miller, Richard S. Wilbur, Watts, Fenlon, Kay, Kaiser, and Anderson. Absent for cause, Editor D. L. Wilbur, Councilors Maguire, Yant, Grunigen, Shaw and Doyle.

A quorum present and acting.

Present by invitation were Messrs. Hunton, Thomas, Clancy, Collins, Whelan, Klutch, Clark, Moreillon, Eberlein, Bowman, Goldman and Blackley, Miss Price and Mrs. Redfern of CMA staff; Mr. Robert Garrick, consultant; Messrs. Hassard and Huber, legal counsel; component society executives Scheuber of Alameda-Contra Costa, Rideout of Butte-Glenn, Geisert of Kern, Lingerfelt of Fresno, Baker of Los Angeles, Blankfort of Marin, Somerville of Napa, Blough of Orange, Dochterman of Sacramento, Nute of

San Diego, Neick of San Francisco, Marvin of Santa Barbara, Wood of San Mateo, Donovan of Santa Clara, Monnich of San Joaquin, York of Sonoma, Whitehall of Stanislaus and Bruce of Tulare; Doctor Harold Erickson, acting director of public health; Doctor Robert T. Hewitt of the State Department of Mental Hygiene; Doctor Richard Young, medical director of the State Department of Rehabilitation; Doctor Lester McDonald, medical director of the State Department of Social Welfare; Mr. Paul Ward, administrator of the State Health and Welfare Agency; Mrs. Lois Bower, president of the Woman's Auxiliary; Mrs. Jeannette Gentili, president of the California Medical Assistants Association; Doctor William Thompson and Messrs. Potloff, Wahlberg and Bentley of California Physicians' Service; Robert Thomas, president of the California Hospital Association; Richard Layton of AMPAC; Jerry Gould of AMA field staff; Doctors Samuel R. Sherman, T. Eric Reynolds, Donald Abbott, Nicholas V. Oddo, John W. Flaiz, Henry Eastman, Dwight H. Murray, Wayne Pollock, Franz Bauer, Laurance A. Mosier and others.

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RALPH C. TEALL, M.D.	President
JAMES C. MACLAGGAN, M.D.	President-Elect
WILLIAM F. QUINN, M.D.	Speaker
JOSEPH W. TELFORD, M.D.	Vice-Speaker
CARL E. ANDERSON, M.D.	Chairman of the Council
ALBERT G. MILLER, M.D.	Vice-Chairman of the Council
MATTHEW N. HOSMER, M.D.	Secretary
DWIGHT L. WILBUR, M.D.	Editor
HOWARD HASSARD	Executive Director

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### 1. Minutes for Approval

On motion duly made and seconded, minutes of the 514th meeting of the Council, held 18 September 1965, were approved with the following correction: Item 14, page 6, line 6 to read: "\$10,000 from a previously appropriated federal grant to the Hospital Planning Commission of Southern California would be available. . . ."

### 2. Membership

(a) A report of membership as of 27 October 1965, was presented and ordered filed.

(b) On motion duly made and seconded in each instance, 17 applicants were voted election to Associate Membership. These were: Henry N. Ricci, J. A. Rodriguez, Livia Ross, E. L. Schoenfeld, Alameda-Contra Costa County; Nathan J. Barlow, Kenneth L. Cohen, John Glenn Hazen, Esther B. Herrell, Jesse L. Herrell, Stanley J. Majcher, Merle H. Peterson, Los Angeles County; James Frederick Walker, Jr., Marin County; Frank A. Bryant, John R. Mitchell, Napa County; Richard I. Fukumoto, Orange County; George M. Plagens, Charles E. Sutton, Ventura County.

(c) On motion duly made and seconded in each instance, nine members were voted election to Retired Membership. These were: M. C. Blender, Rudolph Neustadter, Alameda-Contra Costa County; William Paul Cook, Los Angeles County; Ira J. Brandfield, Riverside County; Raymond C. Hall, O. S. Parrett, San Diego County; Karl Fleischmann, San Francisco; Ruth Martin, San Joaquin County; John J. Wells, Santa Clara County.

(d) On motion duly made and seconded, a reduction of dues was voted for 22 members for reasons of prolonged illness or postgraduate education.

### 3. Report of the President

President Teall reported on visits he had made since the last Council meeting. These included several component medical societies and their branches, the Woman's Auxiliary, the California Society of Internal Medicine, the California Hospital Association and conferences with the Conference of County Welfare Directors and with Hon. Jesse Unruh, Speaker of the State Assembly.

Doctor Teall also reported that the facilities of the California Medical Education and Research Foundation had been offered to the joint committee on the deBakey program as the fund-holding

organization for applying for a grant for planning purposes under the deBakey Law. The joint committee represents the CMA, California Hospital Association, State Department of Public Health, the deans of medical schools, the American Cancer Society, California Division, and the California Heart Association.

Doctor Teall reported on a meeting the previous evening on the Task Force on Public Law 89-97. The Task Force suggested that the Association urge Doctor James Z. Appel, president of the American Medical Association, through Dr. Gardner, secretary of HEW, to urge the Public Health Service and the Bureau of Family Services to seek consultation with practicing physicians on the implementation of those parts of Title XVIII and XIX of P.L. 89-97 assigned to the Public Health Service and the Bureau of Family Services of the Department of HEW.

**ACTION:** *Approved request to Doctor Appel to seek to secure consultation with practicing physicians by U.S. Public Health Service and HEW Bureau of Family Services on implementation of section of Public Law 89-97 assigned to those divisions.*

Finally, Doctor Teall reported on the many amendments added to Assembly Bill No. 5 by Assemblyman Casey but pointed out that the major points of interest in the measure remained unchanged. He also reported on the "Cal Med" program proposed by Assembly Speaker Jesse Unruh and on a conference held with Mr. Unruh.

**ACTION:** *Approved Committee for Emergency Action serving as liaison committee with Mr. Unruh, to study this proposal and report back to the Council.*

### 4. Introduction of Guests

The chairman introduced a number of guests at the meeting, including Mrs. Lois Bower, president of the Woman's Auxiliary, and Mrs. Jeanette Gentili, president of the California Medical Assistants Association, and Mr. Jerry Gould, AMA field staff representative.

Doctor Anderson also reported on the illness of Doctor James C. Doyle, immediate past president, on the accidental injury sustained by Doctor Dan O. Kilroy, legislative chairman, and the recent death of Doctor Edward N. Ewer, CMA president in 1925.

**ACTION:** *Voted to extend sympathy to Doctor Doyle and his family.*

**ACTION:** *Voted to extend greetings and wishes for recovery to Doctor Kilroy.*

**ACTION:** *Voted that adjournment of this meeting*

*be in the memory of Doctor Edward N. Ewer and that his family be so notified.*

#### **5. Report of President-Elect**

Doctor MacLaggan reported on his attendance at the dinner given in honor of Doctor Malcolm Merrill, retired as State Director of Public Health, and at several component society meetings.

#### **6. Report of Finance Committee**

Doctor Kay, chairman, reported that the Finance Committee would meet 17 November on the initial draft of the 1966-1967 budget and solicited suggestions from Councilors on the items to be included.

#### **7. Bureau of Research & Planning**

Doctor Sherman, chairman, recommended approval of a \$5,000 appropriation to a pilot study, through data processing, on various facets of hospital planning. This subject was referred to the Bureau from the preceding Council meeting.

**ACTION:** *Voted approval by required three-fourths vote, for appropriation of \$5,000 for participation with California Hospital Association and others in a pilot study on hospital planning.*

Doctor Sherman also recommended that the Commission on Medical Services be requested to compile information on the type and extent of pre-paid health care insurance available to the public to provide health care coverage for areas in Public Law 89-97 where deficiencies may exist. He proposed that consultation be had with CPS, the Health Insurance Council, Blue Cross and others for the purpose of producing a joint statement which could be disseminated to the profession and the public.

**ACTION:** *Voted to refer to the Commission on Medical Services the question of developing material to point to areas where health care coverage may be desirable to supplement the provisions of Title XVIII of Public Law 89-97. Commission to report back to the Council.*

**ACTION:** *Voted that Commission on Medical Services report to the Council no later than the next meeting on the advisability of preparing, in conjunction with CPS, the Health Insurance Council, Blue Cross and others, a statement for public dissemination on the areas where supplementary health care coverage to Public Law 89-97 may be advisable.*

Doctor Sherman also reported that the Bureau was contemplating meetings with representatives of component societies in whose jurisdiction may be found identifiable areas of disadvantaged population, such as the Watts area of Los Angeles and

the Hunter's Point area of San Francisco, for the purpose of stimulating these societies in pointing out to the people involved the availability of health care programs maintained under various programs, or in developing mechanisms and programs through which health care services can be provided.

**ACTION:** *Voted to approve the concept suggested by the Bureau of Research & Planning and to send a statement to the component societies in regard to this proposal.*

A further recommendation was that the Commission on Medical Services be requested to bring up to date the study on "Components of Adequate Health Care Coverage" which was presented several years ago to the Council and the House of Delegates.

**ACTION:** *Voted to request Commission on Medical Services to update the study on "Components of Adequate Health Care Coverage."*

Doctor Sherman also asked authority for the bureau to cooperate with California Physicians' Service in a pilot study in several self-selected counties to determine the methodology to be used in securing usual and customary fees which would be helpful in establishing physician profiles and prevailing fees.

**ACTION:** *Bureau of Research & Planning authorized to proceed cooperatively with California Physicians' Service, CMA's fee committee and others in planning for a pilot study to determine the usual and customary fees of physicians and the methodology for securing these findings, and to report back to the Council on the proposed format of such a study.*

The bureau also asked authority to distribute copies of the Second Progress Report of the Committee to Study the Role of Medicine in Society to officers of medical societies in other states and others who had requested copies. A question was raised as to whether or not the requirements of the House of Delegates on distribution of this report had been complied with.

**ACTION:** *Voted to authorize distribution of copies of the Second Progress Report of the Committee to Study the Role of Medicine in Society, on request, without further approval of the Council. Each copy so distributed to carry the notation that it is sent as a sociological study of the CMA but does not represent official CMA policy.*

**ACTION:** *Voted that staff distribute copies of the Second Progress Report of the Committee to Study the Role of Medicine in Society to all component societies, with a request that they register their reaction to distribution of the report prior to the 1966 House of Delegates meeting.*

#### 8. *State Health and Welfare Agency*

Mr. Paul Ward, Administrator of the State Health and Welfare Agency, reported on the current status of Assembly Bill No. 5, which would expand the Medical Assistance to the Aged program and would introduce the concept of prepayment for medical services under this program. The measure has passed the Assembly, he said, and is now in a Senate Committee where it is due for early hearing. Some proposed amendments, he reported, would eliminate the prepayment and other concepts of the original measure. He urged that this measure be followed closely in the immediate future.

#### 9. *State Department of Public Health*

Doctor Harold Erickson, acting director of the State Department of Public Health, reported that the department is studying its responsibilities under Public Law 89-97 in the certification of hospitals and extended care facilities.

Doctor Erickson also reported that the State Board of Health had recently adopted regulations pertaining to PKU testing, parakeets, the redirected alcohol control program and smog. Copies of these regulations will be sent to Councilors and to component societies.

#### 10. *State Department of Social Welfare*

Doctor Lester McDonald, medical director of the State Department of Social Welfare, distributed copies of a report on the medical care programs of the department and commented on the reductions made, for cost reasons, in the drug formulary. The department, he said, is experiencing difficulty in the case of telephoned prescriptions.

#### 11. *State Department of Rehabilitation*

Doctor Richard Young, medical director of the State Department of Rehabilitation, reported that Public Law 89-97 will make additional federal funds available for rehabilitation programs and that the program of the Department of Vocational Rehabilitation would be practically doubled. He also introduced Doctor Seymour Kolko who has been retained as a psychiatric consultant to the department.

#### 12. *State Board of Medical Examiners*

Doctor Donald Abbott, immediate past president of the State Board of Medical Examiners, re-

ported that all nominations from the board, from medical school deans and from the CMA for appointments to district disciplinary review boards have reached the Governor.

Doctor Abbott also reported that the board has developed a report form to be used in the periodic reports of all licensed general and specialized hospitals to the board under new legislation. Copies of the covering letter and the report form will be made available to Councilors and component societies.

Doctor Abbott also reported that the board had agreed that a special medical agent who must be a licensed physician and surgeon should head the new areas of responsibility, including gross incompetence, gross immorality, gross negligence and mental illness, and has recommended to the Department of Professional and Vocational Standards the attributes deemed necessary in selecting a physician to handle this assignment.

Doctor Abbott also reported that at the annual meeting of the board Doctor Nicholas V. Oddo of Long Beach had been elected president, Doctor Robert C. Combs of San Francisco vice-president and Doctor Shelby M. Hicks of Merced secretary.

#### 13. *California Hospital Association*

Henry Jackson, president-elect of the California Hospital Association, reported on the recently held annual meeting of the association, at which the principal topics of discussion were Public Law 89-97, the deBakey program and the Casey Bill (AB 5) now pending in the state legislature. He also reported that the association has opened an office in Sacramento for improved service to its members.

#### 14. *California Physicians' Service*

Doctor William Thompson, board chairman of California Physicians' Service, gave a progress report on CPS activities, including several meetings held for discussion of the implications of Public Law 89-97.

#### 15. *Medical Executives Conference*

Mrs. Olive Neick, chairman of the Medical Executives Conference, reported on the meeting held 29 October, at which the California physicians serving on several advisory committees on Public Law 89-97 had discussed their programs and accomplishments.

#### 16. *California Volunteers for Political Action*

Doctor Malcolm Todd, chairman of Calpak, reported that a meeting had been held the previous week and invited all members of the Council to attend a meeting scheduled for 13 November in San Francisco, at which several outstanding speakers will appear. He urged continued support of the Calpak and AMPAC movements.

#### 17. *Commission on Medical Services*

Doctor Ralph Burnett, reporting for the Commission on Medical Services, reviewed a number of resolutions referred to the Commission following the 1965 House of Delegates meeting. On several he asked Council action, including the following:

*Resolution 24-65*, relating to insurance coverage for intensive hospital care where essential for good medical care. The Commission noted its approval and its desire to send copies of the resolution to all insurance carriers in the state.

**ACTION:** *Commission's plans approved by Council.*

*Resolution 27-65*, relating to disability benefits. The Commission reported its lack of knowledge in this field and suggested referring the resolution to the Committee on Occupational Health and Rehabilitation.

**ACTION:** *Resolution 27-65 voted referred to Committee on Occupational Health and Rehabilitation.*

*Resolution 32-65*, relating to Over 65 health insurance, the commission reported its feeling that the achievement of a single insurance package of comprehensive coverage was not feasible.

**ACTION:** *Resolution 32-65 referred back to Commission on Medical Services for further study.*

#### 18. *Committee on Legislation*

Mr. Ben Read reported on the status of the legislation remaining in the hands of the State Legislature at this time and on the proposed handling of interim committee referrals in the Senate and the Assembly.

#### 19. *Commission on Community Health Services*

Doctor Kay, chairman of the Commission on Community Health Services, presented a report containing several informational items and some on which Council action was sought.

**ACTION:** *Voted approval of the commission's plans to participate in a statewide conference with other state agencies and the Committee on Rural Health on health and safety for rural dwellers.*

**ACTION:** *Voted approval of a proposed statement on coordinated home care previously presented and worked out in cooperation with a hospital administrator whose hospital has been operating such a program for several years.*

Commission urged the Council to renew its efforts for professional education of the need for direct billing of laboratory fees.

#### 20. *Commission on Professional Welfare*

Mr. William Whelan presented a report for the Commission on Professional Welfare, including developments on disability insurance coverage for CMA and county society executive staff members, reduced disability insurance premiums for young physicians and insurance riders for coverage of physicians flying their own airplanes.

**ACTION:** *Approved offering of disability insurance coverage to executive employees of CMA and its component societies, provided benefits are limited to 75 per cent of the annual compensation.*

#### 21. *Commission on Allied Health Professions and Services*

Doctor Wayne Pollock presented the report of the Commission on Allied Health Professions and Services, relating to the services of registered nurses.

**ACTION:** *Approved commission recommendation that the induction of hypnosis is not a function in which nurses should be engaged except in assisting a doctor who is adequately trained in this technique and nurses' activities should be limited to this assistance.*

**ACTION:** *Approved commission consensus that the use of intercaths by registered nurses is customary practice, that intercaths have no different function from needles and require no different consideration when used under the orders or direction of a physician.*

**ACTION:** *Approved recommendation that anesthesiologists and chest physicians train nurses or other ancillary personnel in each hospital in intubation and extubation procedures so that a competent person is readily available to perform inhalation therapy on a 24-hour basis.*

**ACTION:** *Voted approval of nurses performing intraocular testing under the orders or direction of a physician.*

**ACTION:** *Approved a statement prepared jointly by the Commission, the California Hospital Association and the California Nurses Association on the subject of nurse procedures in acute cardiac care, subject to legal counsel's approval prior to next Council meeting.*

#### 22. *Staff Report*

Mr. Hassard distributed a report on the progress of implementation of all resolutions adopted by the 1965 House of Delegates.

#### 23. *Legal Department*

Mr. Hassard reported on the continuation of a

program of the Internal Revenue Service, previously reported, of giving special training to agents in the auditing of tax-exempt organizations and stated that the Association may expect such an audit some time in the future.

He also reported that regulations have been proposed but not yet issued by Internal Revenue Service to provide for taxation of nonrelated income of tax-exempt organizations from advertising income of journals and from exhibits at meetings.

Mr. Hassard also called attention to the "Model Medical Staff Bylaws" presented earlier as a joint effort by the Association and the California Hospital Association and pointed out that these bylaws provide that any applicant for membership be safeguarded as to his inherent rights in the eyes of the law. He urged that full consideration be given to this factor in all hospitals.

#### 24. *Ad Hoc Committee on Workmen's Compensation*

Doctor Anderson, chairman, reported on a meeting with officials of the Industrial Accident Commission at which the commission evidenced its desire to compile a list of physicians both qualified and interested in handling industrial injury cases. It was agreed that the Association should serve as the survey center for inquiries to all practicing physicians in the state, whether or not they are CMA members.

**ACTION:** *Approved CMA handling Industrial Accident Commission mailing to all practicing physicians in California, with employers and insurance carriers to share in the cost.*

Doctor Anderson also reported that the Industrial Accident Commission has been urged by the Association, the self-insurers and labor organizations to establish a rehabilitation unit, to act in a referral and liaison capacity to established rehabilitation facilities.

#### 25. *Examination for Drivers' Licenses*

The chairman presented a letter from a member urging that a personal physician should not be required to make a determination of the ability of his patient to obtain a driver's license but that a panel of independent medical examiners should be established to handle this procedure. After discussion it was agreed to refer the letter to the Committee on Traffic Safety.

#### 26. *Woman's Auxiliary*

Doctor MacLaggan presented the request of the Woman's Auxiliary for an additional appropriation to cover the cost of coffee supplied to those attending the annual session.

**ACTION:** *Voted additional appropriation of \$400 for Auxiliary purchase of coffee.*

#### 27. *Section on Pediatrics*

Doctor MacLaggan reported that the Section on Pediatrics has secured the agreement of the Academy of Pediatrics to hold its meeting as a part of the section's program at the next annual session. He asked that the Council express its approval.

**ACTION:** *Voted that approval be expressed for Academy of Pediatrics to hold its meeting in conjunction with the annual session program of the Section on Pediatrics.*

#### 28. *Medical Libraries*

Doctor Miller reported that the medical library assistance bill, HR 3142, has passed both houses of Congress and that efforts should be made at once to secure some of the available funds for support of medical libraries in California.

**ACTION:** *Voted to refer library support funds from federal government to the Committee on Continuing Medical Education of the Scientific Board for such coordination as may be provided to secure funds for medical libraries in California.*

#### *Recess*

At this point, 4:10 p.m. on 30 October 1965, the Council recessed until 8:00 a.m. on Sunday, 31 October 1965.

#### 29. *General Session as Committee of the Whole*

The Council discussed a number of questions in informal fashion, touching upon such matters as liaison with local and county governments, the need for physicians to participate in governmental programs, the requirements for additional staff for increased activities, the need of strengthening the Sacramento office, the need for increased communications facilities, the possible use of members of the House of Delegates as communications forces, the use of funds now contributed to the American Medical Association-Education and Research Foundation, the implications of new legislation such as the deBaKey program and the need of continuing Communications efforts among the membership.

Visual material in the form of a statement on

the financial position of the Association, an outline of all staff procedures and members, lists of allied organizations, etc., was made available.

A proposal was made that the format of Council meetings be changed so that essential business could be handled at an earlier hour each day and informational material presented at a later hour. Suggestions were also presented for a curtailed luncheon period at Council meetings, for lighter luncheon items and for Councilors planning on later departures from meetings.

**ACTION:** *Voted to retain Mr. Hassard as executive director under terms initially adopted in 1958 and amended subsequently.*

**ACTION:** *Voted to authorize the retention of the services of Mr. K. L. Hamman as a consultant to the Council and the executive director on matters of finance and organizational structure.*

**ACTION:** *Voted that Mr. Hassard and the staff, in conjunction with officers and others, prepare outlines for changed or expanded programs for the Association and to bring such outline back to the Council for consideration.*

**ACTION:** *Voted that each Councilor consider the development, within his district, of a communications program involving CMA delegates and others as might be most effective in his district. CMA staff would assist in this effort upon request. Specific emphasis at this time to be on problems relating to governmental medical care programs.*

#### *Adjournment*

There being no further business to come before it, the meeting was adjourned at 2:30 p.m. in the memory of Doctor Edward N. Ewer.

CARL E. ANDERSON, M.D., *Chairman*

MATTHEW N. HOSMER, M.D., *Secretary*

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## 1965 CONSTITUTIONAL AMENDMENTS, FOR ACTION IN 1966

Under the terms of the Constitution, proposed constitutional amendments must lie on the table until the next regular meeting of the House of Delegates following the meeting at which they were introduced. A proposed amendment introduced at the 1965 meeting and to be acted upon in 1966 is presented below. In addition, one By-law amendment was introduced at the second session of the 1965 House of Delegates and, since it could not be acted upon for at least 24 hours, was held over for action in the next regular (1966) meeting.

The Proposed Constitutional amendment is required to be printed in two issues of the journal before it comes before the House of Delegates for action.

### CONSTITUTIONAL AMENDMENT 1-65

Introduced by: The Council  
Subject: Composition of Council

**Resolved:** That Article III, Part B, Section 9, paragraph (c) of the Constitution of the California Medical Association be amended by deleting the words "without the right to vote" at the end of the section, so that the section will read:

"(c) One (1) member of the Executive Com-

mittee of the Scientific Board to be elected by the Executive Committee of that body from representatives of the scientific sections or members-at-large."

### BY-LAW AMENDMENT 22-65

Introduced by: Walter F. Carpenter  
Representing: 1965 Reference Committee No. 2  
Subject: Payment of Dues

**Resolved:** That Chapter 2, Section 10, Paragraph (b) of the Bylaws of the California Medical Association be amended by deleting the language shown below in parentheses and by adding the language shown below in italics, so that the section shall read:

"By Failure to Pay Dues. If the Annual assessments of dues, payable to this Association or the American Medical Association by any member of this Association, are not paid in full on or before (April) *March 1*, of any year, such member shall automatically lose his membership in this Association as of (April) *March 1* of such year. The Council of this Association, in its discretion, upon payment of such unpaid dues, and any other assessments of dues accruing thereafter, may at any time reinstate such member."